

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES M. UPTHEGROVE,

Plaintiff,

v.

MMHI MEDICAL DIRECTOR, et al

Defendants.

ORDER

Case No. 20-cv-927-bbc

Plaintiff James M. Upthegrove has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed without prepayment of the filing fee, I must review a certified copy of plaintiff's resident trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than October 26, 2020. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff James M. Upthegrove may have until October 26, 2020 to submit a trust fund account statement for the period beginning approximately April 5, 2020 and ending approximately October 5, 2020. If, by October 26, 2020, plaintiff fails to respond

to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 5th day of October, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge